

LEV L. DASSIN

Acting United States Attorney for the  
Southern District of New York

By: SARAH S. NORMAND

Assistant United States Attorney

86 Chambers Street, Third Floor

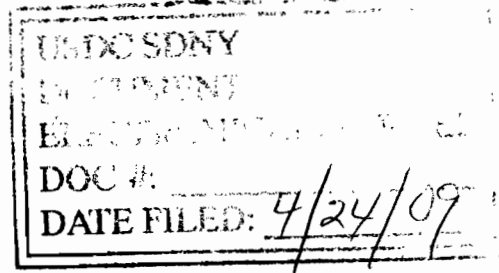
New York, New York 10007

Telephone No. (212) 637-2709

Facsimile No. (212) 637-2702

[sarah.normand@usdoj.gov](mailto:sarah.normand@usdoj.gov)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- X  
In re: METHYL TERTIARY BUTYL ETHER  
("MTBE") PRODUCTS LIABILITY  
LITIGATION

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88

----- X  
**This document relates to:**

*City of Merced Redevelopment Agency v.*  
*ExxonMobil Corp. et al.*, No. 08 Civ. 6306(SAS)  
----- X

~~PROPOSED~~ ORDER

WHEREAS, by letter dated February 27, 2009, this Court certified to United States Attorney General Eric H. Holder, Jr., pursuant to 28 U.S.C. § 2403(a), that the constitutionality of Section 1503 of the Energy Policy Act of 2005, Pub. L. No. 109-58 (2005), had been drawn into question in the above-referenced action before the Court;

WHEREAS, the Court provided, pursuant to Federal Rule of Civil Procedure 5.1, that the Attorney General could intervene in the action within sixty days, or by April 28, 2009; and

WHEREAS, the United States has requested an additional sixty days to determine whether or not to intervene in this action,

IT IS HEREBY ORDERED that the United States may intervene in this action, pursuant to 28 U.S.C. § 2403(a), on or before June 28, 2009.

*no further expensions  
will be granted.*

So Ordered:

A handwritten signature in black ink, appearing to read 'Shira A. Scheindlin', written over a horizontal line.

HONORABLE SHIRA A. SCHEINDLIN  
United States District Judge